

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

CHRISTOPHER SADOWSKI,

Plaintiff,

v.

BACKCHINA, LLC d/b/a  
WWW.21USCITY.COM

Defendants.

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Civil Action No. 4:17-cv-01562

Jury Demand

**DECLARATION OF XIAOXIA NEUFER**

1. My name is Xiaoxia Neuffer. I am over the age of 21. I have never been convicted of a felony, and I have personal knowledge of the facts contained herein, which are true and correct. If called as a witness, I could competently testify to these statements.

2. I have no financial interest or other interest in the above captioned lawsuit. However, I am aware of the on-line publication of www.21uscity.com ("Backchina"). However, I do not recall viewing the article included in Exhibit B to this declaration at www.21uscity.com.

3. I was born in Harbin, China. I lived there 36 years before I moved to the United States.

4. While in China, I read the local newspapers and I am very familiar with how standard news articles are written for the Chinese news audience. In general, the Chinese news audience demands short, to the point articles. The Chinese news audience is likely to skip and not read lengthy news stories. For this reason, when English news stories are translated into Chinese, the works are transformed into short stories conveying the who, what, when, why and where of a story.

5. I have been informed that Christopher Sadowski has sued Backchina for alleged copyright infringement of his photograph as contained in Exhibit A to this declaration by the photograph contained in Exhibit B. It was explained to me that an allegation of copyright infringement generally means that the party suing believes their copyright protected property was improperly copied by another. I have no understanding of an allegation of copyright infringement beyond this statement.

6. I was asked to provide my opinion as to whether the Chinese text accompanying Exhibit B is a literal translation of the English text in Exhibit A.

7. The text in exhibit B is translated from Chinese to English as:

Bizarre tragedy in East United States: mom and baby embraced death in snowstorm

(2016-1-25 17:14 Apple Daily)

"Monster" snowstorm swept the east coast of the United States; at least 29 people were killed. In New Jersey, a strange accident occurred, which actually caused the embracing mother and baby died in the car.

A 23-year-old young mother Rosa (Sasha Lynn Rosa) were sitting in the car with the heating system on, with a pair of children; while the father shoveled snow from the car outside. The whole family planned to go out. When the father opened the door after working for about 20 minutes, he found that the mother and the children have lost consciousness. The father called the police and the victims were sent to the hospital immediately. Unfortunately, Rosa and the one-year-old son died; only the three-year-old daughter survived.

The police said that the culprit of this tragedy was the snow. The snow was too thick and it blocked the exhaust hole of the car. When the father was shoveling the snow outside, the mother and the children turned on the engine and the heating inside. Carbon monoxide generated and accumulated in the car, causing the death of the mother and the baby.

8. In my opinion, the Chinese text in Exhibit B is typical of a transformation that occurs when Chinese language news articles are prepared from more lengthy English news articles.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October <sup>9th</sup>\_\_\_\_, 2017.

A handwritten signature in blue ink, appearing to read "Xiaoxia Neuffer", written over a horizontal line.

Xiaoxia Neuffer

(name)